

## **ARTICLE VI**

### **SUBDIVISIONS: PROCEDURES AND STANDARDS**

#### **30-6-1 EXCLUSION DETERMINATION**

If a proposed division of land meets one or more of the exclusions under the definition of "Subdivision" in Article II (Definitions), the owner shall submit to the Planning Department maps, deeds, or other materials in sufficient detail to permit a conclusive determination by the Enforcement Officer.

#### **30-6-2 COORDINATION WITH OTHER PROCEDURES**

To lessen the time required to attain all necessary approvals and to facilitate the processing of applications, an applicant may start the subdivision approval process simultaneously with applications for grading permits or other applications for approvals required for a particular project. When a watershed development plan approval is required, approval of all portions of that plan except stormwater control construction plans shall be a prerequisite to Preliminary Plat approval.

#### **30-6-3 APPROVAL REQUIRED**

##### **30-6-3.1 No Subdivision Without Approval**

No real property, including property declared under the NC Condominium Act (NCGS 47C-1 et. seq.), lying within the City as now or hereafter fixed shall be subdivided except in conformance with all applicable provisions of this Article. Violation of this Section shall be a misdemeanor.

##### **30-6-3.2 Date of Compliance**

After the effective date of this Ordinance, no plat for the subdivision of land within Guilford County shall be filed, accepted for recording, or recorded, nor shall the Clerk of the Superior Court order the recording of a plat until it has been submitted to and approved by the City. (See definition of "Subdivision" in Article II for exclusions.)

##### **30-6-3.3 Dedication and Acceptance**

(A) Rights-of-Way and Easements: The approval and recordation of a plat constitutes dedication to and acceptance by the City and the public of the right-of-way of each public street, alley, or utility or drainage easement shown on such plat. The approval and recordation of a plat does not constitute acceptance of maintenance responsibility within such right-of-way or easement. Improvements within such rights-of-way or easements, such as utility lines, street paving, drainage facilities, or sidewalks, may be accepted for maintenance by the City Council or by the administrative officer authorized to inspect and, where appropriate, accept the dedication of such improvements.

(B) Open Space: Land designated as public open space on a Final Plat shall be considered to be offered for dedication until such offer is accepted by the City. The offer may be accepted by the City through:

- 1) express action by the City Council;
- 2) express action by an administrative officer designated by the City Manager; or
- 3) conveyance of fee simple marketable title (unencumbered financially and environmentally) to the property to the City at the time of Final Plat recordation.

Until such dedication has been accepted, land so offered may be used for open space purposes by the owner or by the owners' association. Land so offered for dedication shall not be used for any purpose inconsistent with the proposed public use.

### **30-6-4 PRE-APPLICATION CONFERENCE**

In the interest of efficiency and economy, every subdivision applicant is strongly encouraged to schedule a Pre-application Conference with the planning staff prior to the submission of a Preliminary Plat.

### **30-6-5 SUBMISSION OF PLANS**

Applications for subdivision approval, including Group Development approval, shall be submitted to the Planning Department. Subdivisions requiring Technical Review Committee approval shall be presented to the Planning Department at least seven (7) days prior to the next scheduled meeting of the Technical Review Committee. If a TIS is required in conformance with Section 30-3-20 (Transportation Impact Study (TIS)), a presubmittal conference must be held prior to the preparation of a TIS and the TIS shall be submitted to the Greensboro Department of Transportation a minimum of twenty-one (21) calendar days prior to site plan submittal.

### **30-6-6 SKETCH PLAN**

#### **30-6-6.1 Required for Staff Review**

A Sketch Plan is required for staff review whenever adjoining land is owned by the subdivider seeking approval of a major subdivision.

#### **30-6-6.2 Required for Technical Review Committee Approval**

A Sketch Plan is required for Technical Review Committee review for any subdivision of property that involves more than fifty (50) lots. Procedures for approval shall correspond to the procedures found in Section 30-6-7 (Preliminary Plat).

#### **30-6-6.3 Preparation**

The Sketch Plan shall be prepared in accordance with Appendix 2 (Map Standards) and submitted to the Planning Department.

### **30-6-7 PRELIMINARY PLAT**

### **30-6-7.1 Required**

A Preliminary Plat shall be required for all subdivisions, including Group Developments.

### **30-6-7.2 Preparation**

(A) Preliminary Plat: The Preliminary Plat shall be prepared by a registered land surveyor, registered landscape architect, or licensed engineer, and shall be prepared in accordance with Appendix 2 (Map Standards)

(B) Transportation Impact Study (TIS): A Transportation Impact Study (TIS) shall be prepared by a licensed engineer in accordance with Section 30-3-20 (Transportation Impact Study (TIS)).

### **30-6-7.3 Minor Subdivisions**

Plats meeting all requirements of a Minor Subdivision may be approved by the Planning Department. Any decision by the Planning Department may be appealed by the applicant to the Technical Review Committee within thirty (30) days of the decision.

### **30-6-7.4 Major Subdivisions**

The Planning Department shall present Major Subdivision plats and appealed plats to the Technical Review Committee at its next meeting. The Technical Review Committee shall review the Preliminary Plat for compliance with regulations. This review shall be made by the members of the Technical Review Committee and by any other agencies or officials by referral.

### **30-6-7.5 Action By Technical Review Committee**

(A) Timing: The Technical Review Committee shall take action within thirty (30) days of reviewing the Preliminary Plat, except in those instances where street connections are involved and public input is sought pursuant to the provisions of Section 30-6-13.3(C).

(B) Approval: If the Preliminary Plat is approved, the applicant may proceed toward Final Plat approval.

(C) Conditional Approval: If the Preliminary Plat is granted conditional approval, the applicant shall revise the plat in accordance with the conditions of the approval and resubmit it. The Planning Department shall review the revised plat and, if it meets all the approval conditions and is otherwise substantially unaltered, shall signify on the plat the change from conditional approval to approval. If the plat is not revised within sixty (60) days to meet the approval conditions, or if the applicant notifies the Planning Department that he is unwilling to revise the plat, it shall be deemed denied.

(D) Denials: If the Preliminary Plat is denied, the reasons shall be stated in writing. The applicant may revise and resubmit a plat which has been denied. Decisions of the Technical Review Committee may be appealed by the applicant to the Planning Board within thirty (30) days of the Technical Review Committee decision.

### **30-6-7.6 Action By Planning Board**

If a Preliminary Plat is appealed to the Planning Board, it shall be reviewed at the next regularly scheduled meeting. The Planning Board may approve, grant conditional approval, or deny the plat in accordance with the procedures found in Section 30-6-7.5 (Action by Technical Review Committee).

### **30-6-7.7 Appeals**

If the plat is denied or granted conditional approval, or if no action is taken within thirty (30) days by the Technical Review Committee, the applicant may appeal to the Planning Board within thirty (30) days after denial, conditional approval, or lack of action by the Technical Review Committee. If the plat is denied or granted conditional approval, or if no action is taken by the Planning Board, the applicant may appeal to the City Council within fifteen (15) days after the Planning Board decision. The City Council shall then approve, grant conditional approval, or deny the plat.

### **30-6-7.8 Approval Period**

Preliminary plat approval shall be valid for two (2) years and may be extended in accordance with the provisions of Section 30-6-12 (Recordation of Final Plats).

### **30-6-7.9 Fees**

Fees according to the Schedule of Fees shall be due and payable when the Preliminary Plat is submitted.

## **30-6-8 STREET AND UTILITY CONSTRUCTION**

### **30-6-8.1 Plans**

Street and utility construction plans for all street, water, sanitary sewer, and storm sewer facilities shall be submitted to the City following Preliminary Plat review but shall not be reviewed until the street and utility network on the Preliminary Plat has been found generally satisfactory by the Technical Review Committee. For each subdivision section, the street and utility construction plans shall include all improvements lying within or adjacent to that section, as well as all water and sanitary sewer lines lying outside that section and being required to serve that section. No street and utility construction plans shall be approved until the Preliminary Plat has been approved.

### **30-6-8.2 Approval Period**

Street and utility construction plan approval shall be valid for two (2) years unless the Technical Review Committee determines that materials or methods shown on the plan pose a threat to the public health or safety.

### **30-6-8.3 No Construction Without Plan Approval**

None of the improvements listed above shall be constructed until the street and utility construction plans for such improvements have been reviewed and approved by the City.

#### **30-6-8.4 Inspection**

Work performed pursuant to approved street and utility construction plans shall be inspected and approved by the City.

#### **30-6-9 PERMANENT RUNOFF CONTROL STRUCTURES AND SOIL EROSION AND SEDIMENTATION CONTROL DEVICES**

##### **30-6-9.1 Soil Erosion and Sedimentation Control Devices**

Any approved soil erosion and sedimentation control device(s) may be installed prior to approval of street and utility construction plans.

##### **30-6-9.2 Permanent Engineered Stormwater Controls in Subdivisions**

(A) Coordination with Streets and Utilities: Any approved permanent engineered stormwater controls may be installed prior to approval of street and utility construction plans. Such plans shall show the location of existing or proposed engineered stormwater controls relative to the proposed improvements to avoid conflicts during construction and after.

(B) Design and Construction: Engineered stormwater controls shall be designed and installed in accordance with the requirements of Section 30-7-1 (Water Supply Watershed Districts).

(C) Owners' Association Required: When a permanent engineered stormwater control serves more than two lots within a subdivision, an owners' association shall be required for the purposes of ownership and maintenance responsibility.

(D) Maintenance Responsibility:

1) Until the permanent engineered stormwater control a) has been covered by an Engineer's Certification of Stormwater Control Completion (Table 30-7-1-6), b) has been granted final approval by the Enforcement Officer, and c) has been shown on a recorded final plat, the subdivider shall be responsible for its completion and its maintenance. Neither the posting of a guarantee of the structure's completion nor conveyance of the land containing the structure shall relieve the subdivider of this responsibility.

2) After the permanent engineered stormwater control has been completed in accordance with Section 30-6-9.2(D)1) of the Greensboro Development Ordinance and conveyed to the owners' association, the owners' association shall be responsible for maintaining it as directed by the governmental office having jurisdiction for watershed protection and, if the owners' association should be dissolved or cease to exist, then in that event all the lot owners of record at the time of the required maintenance shall be

jointly and severally liable for any and all costs attendant thereto.

(E) Maintenance Note Required on Final Plat: When a subdivision contains a permanent engineered stormwater control to which subsection (C) above is applicable, each final plat in the subdivision shall contain a prominent note with the full text of subsection (D)2) above.

(F) Plat Recordation: If a subdivision lot is dependent upon an engineered stormwater control to meet the requirements of Section 30-7-1 (Water Supply Watershed Districts), that structure's location and type must be shown on the same plat as the lot or on a plat recorded previously. If the runoff control structure has been completed, with full design volume available (this may require the cleanout and disposal of sediment from the pond), when the plat is recorded, it shall be labeled as existing and an Engineer's Certification of Stormwater Control Completion (Table 30-7-1-3) shall be filled out on the plat. If the structure has not been completed, it shall be labeled as proposed, assurance of its completion, with full design volume available, within one (1) year shall be provided in accordance with Section 30-3-9 (Sureties or Improvement Guarantees), and a prominent asterisk shall be placed on the lot accompanied by a note on the plat stating 1) that no certificate of compliance shall be issued for any building on that lot until the engineered stormwater control has been completed, certified, and approved and 2) that (the name of the person) has posted a guarantee and bears responsibility for its timely completion.

If the Enforcement Officer determines that there is a potential risk that underground rock, buried materials, springs, underground utility lines, or some other obstacle may make construction of the structure unviable, he shall require that excavation for the structure be successfully performed prior to acceptance of a surety or improvement guarantee.

### **30-6-10 OWNERS' ASSOCIATIONS**

#### **30-6-10.1 Establishment**

(A) Creation: An Owners' Association shall be established to fulfill requirements of the NC Condominium Act or to accept conveyance and maintenance of all common areas and facilities within a development containing common areas. The Owners' Association shall be in legal existence prior to the conveyance, lease-option, or other long-term transfer of control of any unit or lot in the development.

(B) Conveyance: Where developments have common areas or facilities serving more than one (1) dwelling unit, these areas shall be conveyed to the Owners' Association, in which all owners of lots in the development shall be members. All areas other than public street rights-of-way, other areas dedicated to the City, and lots shall be designated as common areas. In a condominium development the common area shall be platted as common elements in accordance with the NC Condominium Act. In other developments, the fee-simple title shall be conveyed by the subdivider or developer to the Owners' Association prior to the sale of the first lot.

(C) Subdivision or Conveyance of Common Area: Common areas shall not subsequently be subdivided or conveyed by the Owners' Association unless a revised

Preliminary Plat and a revised Final Plat showing such subdivision or conveyance have been submitted and approved.

(D) Minimize Number of Associations: Developments, whether including different land uses, different types of housing, or simply different sections, shall hold the number of Owners' Associations to a minimum. An association may establish different categories of membership, different budgets for the categories, and different rates of assessment when different kinds of services are provided to different categories. Smaller associations under an umbrella (master) association are permitted.

(E) Owners' Association Not Required: A development involving only two (2) units attached by a party wall (or two separate walls back-to-back) shall not be required to have common areas or an Owners' Association. Such developments without an Owners' Association shall establish a binding agreement between owners to govern any party walls and to ensure reciprocal easement rights needed for maintenance.

### **30-6-10.2 Submission of Owners' Association Declaration**

After Preliminary Plat approval, and before any building permit issuance, it is recommended that the subdivider submit for review and approval a draft of the Declaration of the Owners' Association containing covenants and restrictions governing the Owners' Association, lots or units, and common areas. Prior to or concurrently with the submission of the Final Plat for review and approval, the subdivider shall submit a copy of the final Declaration for review and approval. The Declaration shall include provisions for the following:

(A) Membership: Membership in the Owners' Association shall be mandatory for each original purchaser and each successive purchaser of a lot or unit. Provisions shall be made for the assimilation of owners in subsequent sections of the development.

(B) Responsibilities of Association: The Declaration shall state that the Owners' Association is responsible for:

- 1) payment of premiums for liability insurance and local taxes;
- 2) maintenance of recreational and/or other facilities located on the common areas; and
- 3) payment of assessments for public and private improvements made to or for the benefit of the common areas.

(C) Exterior Maintenance of Units: The Owners' Association shall be made responsible for exterior maintenance of all attached units (whether they be dwelling units or nonresidential units); or each unit owner shall be made responsible, with the Owners' Association granted authority to perform such exterior maintenance in the event the unit owner fails to do so in a prompt and satisfactory manner and to assess the cost of the maintenance against the unit.

(D) Default By Association: Upon default by the Owners' Association in the payment to the jurisdiction entitled thereto of any assessments for public improvements or ad

valorem taxes levied against the common areas, which default shall continue for a period of six (6) months, each owner of a lot in the development shall become personally obligated to pay to the jurisdiction a portion of the taxes or assessments in an amount determined by dividing the total taxes and/or assessments due to the jurisdiction by the total number of lots in the development. If the sum is not paid by the owner within thirty (30) days following receipt of notice of the amount due, the sum shall become a continuing lien on the property of the owner, his heirs, devisees, personal representatives, and assigns. The taxing or assessing jurisdiction may either bring an action at law against the owner personally obligated to pay the same, or may elect to foreclose the lien against the property of the owner.

(E) Powers of the Association: The Owners' Association is empowered to levy assessments against the owners of lots or units within the development. Such assessments shall be for the payment of expenditures made by the Owners' Association for the items set forth in this Section, and any assessments not paid by the owner against whom such assessments are made shall constitute a lien on the lot of the owner.

(F) Easements: Easements over the common areas for access, ingress, and egress from and to public streets and walkways, and easements for enjoyment of the common areas and for parking, shall be granted to each lot owner.

(G) Maintenance and Restoration: Provisions for maintenance and restoration in the event of destruction or damage shall be established for common area improvements and party walls.

(H) Parking Allocation in Nonresidential Developments: In nonresidential owners' association developments, the Declaration shall contain the following provision: "Parking spaces shall be allocated among the individual lots or units in such a manner that each unit is entitled to a sufficient number of parking spaces to comply with this Ordinance for the use intended to be located therein. The Owners' Association shall maintain a register listing the total number of parking spaces in the development and the number of spaces allocated to each lot or unit. A copy of this register shall be available to the Enforcement Officer at his request. The Owners' Association shall not reduce the number of parking spaces allocated to an individual lot or unit without the express written consent of the owner thereof, and in no case shall the number of parking spaces allocated to an individual lot or unit be reduced to a number below that required by this Ordinance."

### **30-6-10.3 Conversion of Nonconforming Developments**

If a nonconforming use or nonconforming building is converted into a condominium or other owners' association development, the Declaration and Final Plat shall disclose such nonconformity and explain potential consequences of such nonconformity in case of substantial damage to the building.

### **30-6-11 FINAL PLAT**

#### **30-6-11.1 Required**



A Final Plat shall be required for all subdivisions except for Group Developments not entailing easement dedication, right-of-way dedication, or permanent runoff control structures. Upon approval of the Preliminary Plat and other required plans, the applicant shall be eligible to submit a Final Plat for approval. Approval of the Preliminary Plat shall constitute tentative approval of the Final Plat if the Final Plat is substantially unchanged from the approved Preliminary Plat. Substantial changes from the Preliminary Plat will require review and reapproval by the Planning Department for minor subdivisions, or by the Technical Review Committee for major subdivisions, to ensure compliance with existing regulations.

#### **30-6-11.2 Preparation**

The Final Plat shall be prepared by a registered land surveyor in accordance with Appendix 2 (Map Standards).

#### **30-6-11.3 Required Improvements**

No Final Plat shall be approved until all required improvements have been installed and accepted by the City or surety has been provided as set forth in Section 30-3-9 (Sureties or Improvement Guarantees).

#### **30-6-11.4 [RESERVED]**

#### **30-6-11.5 Certification of Final Plat**

When the Planning Department has approved a Final Plat, a signed written statement to this effect shall be entered on the face of the plat. This statement is found in Appendix 2 (Map Standards).

#### **30-6-11.6 Permits**

Unless otherwise provided, upon recordation of the Final Plat, the subdivider shall be eligible to obtain building and other permits required by this Ordinance.

#### **30-6-11.7 Fees**

A fee according to the Schedule of Fees shall be due and payable when the Final Plat is submitted for approval.

#### **30-6-12 RECORDATION OF FINAL PLATS**

After approval, a Final Plat must be recorded in the Office of the County Register of Deeds within sixty (60) days. No plat shall be regarded as finally approved until such plat has been recorded. If the Final Plat (of all or part of the area shown on the approved Preliminary Plat) is not recorded within two (2) years after Preliminary Plat approval or if there is a lapse of more than two (2) years between the recordings of sections, the Preliminary Plat must be resubmitted to the Technical Review Committee. Such resubmittal shall be in accordance with the requirements of this Ordinance.

#### **30-6-13 SUBDIVISION STANDARDS**

### **30-6-13.1 General**

(A) Design: All proposed subdivisions, including group developments, shall comply with this Article, shall be designed to promote beneficial development of the community, and shall bear a reasonable relationship to the approved plans of the City.

(B) Development Name: In no case shall the name of a proposed development duplicate or be phonetically similar to an existing development name in the City unless the proposed development lies adjacent or in proximity to the existing development.

(C) Reasonable Relationship: All required improvements, easements, and rights-of-way (other than required reservations) shall substantially benefit the development or bear a reasonable connection to the need for public facilities attributable to the new development.

### **30-6-13.2 Lot Dimensions and Standards**

The size, shape, and orientation of lots shall be appropriate for the location of the proposed subdivision and for the type of development contemplated and shall conform to the following, except as provided in Section 30-4-6 (Dimensional Requirements).

(A) Conformance to Other Regulations: Every lot shall have sufficient area, dimensions, and street access to permit a principal building to be erected thereon in compliance with all zoning and other requirements of this Ordinance;

(B) Minimum Building Area: Every lot shall have at least forty percent (40%) of its total area, or three thousand (3,000) square feet, whichever is less, of contiguous buildable area of a shape sufficient to hold a principal building. Said area shall lie at or be filled to an elevation at least one (1) foot above the one-hundred-year flood elevation. (Caution: Article VII or Federal wetlands regulations will prohibit or restrict fill placement in certain locations.)

(C) Lot Depth to Width Ratio: No lot shall have a depth greater than four (4) times the width at the minimum front street setback.

(D) Side Lot Line Configuration: Side lines of lots should be at or near right angles or radial to street lines.

(E) Lot Lines and Drainage: Lot boundaries shall coincide with natural and pre-existing manmade drainageways to the extent practicable to avoid lots that can be built upon only by altering such drainageways.

(F) Lots on Thoroughfares: Major subdivisions shall not be approved that permit individual residential lots to access major thoroughfares.

(G) Access Requirements: All lots must have public street access and frontage meeting the requirements set forth in Article IV (Zoning). The following exceptions may be approved:

1) Flag Lots (see Illustration in Appendix 5) approved by the Technical Review Committee meeting the following requirements:

- a) A flag lot shall contain only one (1) single family dwelling including its uninhabited accessory structures; a utility substation as defined in Section 30-5-2.86; or, in nonresidential districts, radio, television, or communication towers.
- b) The maximum flagpole length shall be three hundred (300) feet.
- c) The minimum flagpole width shall be twenty-five (25) feet.
- d) The maximum lot size in areas with public sewer shall be one (1) acre.
- e) The maximum lot size without public sewer shall be three (3) acres. For lots located in the Watershed Critical Area Tier 2 without public sewer, the minimum lot size shall be five (5) acres and the maximum shall be ten (10) acres. (Note: The flagpole portion of the lot is not used to calculate area, width, depth, coverage, and setbacks of the lot or to provide off-street parking.)
- f) Where public water is available, any building on the flag lot must be within five hundred (500) feet of a hydrant. This distance shall be measured along the street, then along the flagpole, then in a straight line to the building location.
- g) Where public sewer is available, occupied buildings on the flag lot shall have a gravity service line, or the sewer pump requirement shall be noted on the plat.
- h) Use of a single driveway to serve adjoining flag lots or to serve a flag lot and an adjoining conventional lot is permitted and encouraged. In the latter case, the preferred location for the driveway is on the flagpole portion of the flag lot, with the conventional lot granted an access easement over the flagpole.

2) Lots and units located in cluster developments, planned unit developments, and group developments with Owners' Associations in which permanent access is guaranteed by means of approved private streets and/or drives. The development as a whole shall have public street access and frontage in accordance with Article IV (Zoning).

### **30-6-13.3 Streets**

(A) Dedication of Right-of-Way: Right-of-way for public streets shall be dedicated to the City pursuant to NCGS 160A, Article 19, Part 2 and other applicable State laws. When

dedication cannot be required, any future street right-of-way indicated on adopted thoroughfare plans or collector street plans shall be shown on the plat.

(B) Conformance with Thoroughfare and Collector Street Plans: The location and design of streets shall be in conformance with applicable thoroughfare and collector street plans. Where conditions warrant, right-of-way widths and pavement widths in excess of the minimum street standards may be required.

(C) Conformance with Adjoining Street Systems: The planned street layout of a proposed subdivision shall be compatible with existing or proposed streets and their classifications on adjoining or nearby tracts. Street connections shall be made pursuant to criteria adopted by the City Council.

(D) Access to Adjoining Property: Where, in the opinion of the Technical Review Committee, it is desirable to provide for street access to adjoining property, proposed streets shall be extended to the boundary of such property.

(E) Reserve Strips: Reserve strips adjoining street rights-of-way for the purpose of preventing access to adjacent property shall not be permitted under any condition.

(F) Street Classification: The final determination of the classification of streets in a proposed subdivision shall be made by the City. Street classifications are defined in Article II (Definitions).

(G) Public Street Design Criteria: The minimum street design standards for the street classifications are attached herewith as Table 30-6-13-1. Right-of-way dedication and paving of streets in and adjacent to the subdivision shall be in conformance with the right-of-way and pavement width requirements of Table 30-6-13-1, both within the City and in and adjacent to subdivisions provided with City water or sewer service pursuant to the City and County Consolidated Water and Sewer Line Agreement. Exceptions to the minimum street design standards may be approved by designated staff due to special physical constraints. These streets shall be designed in accordance with the City's Street Design Manual, or the NCDOT Subdivision Roads: Minimum Construction Standards, whichever is applicable.

(H) Private Street Design Criteria:

1) Where Permitted: Private streets shall be permitted in single family detached cluster developments, single family and twin home sections of planned unit developments, townhouse developments, and integrated multiple use developments.

(2) Minimum Design and Construction: The minimum street design standards are found in Table 30-6-13-2, and apply both within the City and in and adjacent to subdivisions provided with City water or sewer service pursuant to the City and County Consolidated Water and Sewer Line Agreement. The pavement construction design for all private streets will be equivalent to the minimum construction design for local residential streets of the City, unless the developer supplies an alternate pavement design

(supported by an engineering study) approved by the City. Exceptions to the minimum street design standards may be approved by designated staff due to special physical constraints. The developer must furnish an engineer's seal and certification that the private streets have been tested and certified for the subgrade, base, and asphalt. All private streets shall have a standard thirty (30) inch curb and gutter section unless the street is located in the Watershed Critical Area (WCA). Streets located in the WCA may be twenty-two (22) feet wide with shoulders and a side ditch section. Common area may need to be widened to include the side ditch section. All cul-de-sacs shall have a minimum forty-five (45) foot pavement radius.

3) Owners' Association Required: An Owners' Association shall be required to own and maintain all private streets allowed under this Ordinance.

4) Plats: All private streets shall be shown as such on all plats.

5) Through Streets: No through street in a residential area connecting two public streets can be designated as a private street unless approved by the Technical Review Committee.

6) Connections to Public Streets: All private streets connecting with public streets require approved driveway applications from the City (or NCDOT if applicable). Where street returns are permitted, the developer shall construct a concrete band running parallel with the public street. The width of this band shall commence at the gutter line and extend to the right-of-way line of the public street.

(I) Intersecting Street Angle: All streets shall intersect at or as near to ninety (90) degrees as possible within topographic limits.

(J) Streets Crossing Natural Areas: All streets crossing natural areas, wetlands, or stream buffers shall cross at or as near to ninety (90) degrees as possible within topographic limits.

(K) Spacing Between Intersections: Offset intersections are not desirable and should be avoided. Intersections that cannot be aligned should be separated in accordance with the design standards established by street classification. The higher classification street involved shall determine the distance between intersections along that street. In the event of unusual topography, a distance less than the design standard, but in no case less than one hundred fifty (150) feet, may be approved by the Technical Review Committee.

(L) Cul-de-sac Maximum Length: The maximum distance from an intersecting through street to the end of a cul-de-sac shall be eight hundred (800) feet, except that a distance up to one thousand six hundred (1,600) feet may be approved in the Watershed Critical Area.

(M) Curb and Gutter: Curb and gutter shall be required in all subdivisions, except in the Watershed Critical Area as defined in Article VII (Environmental), unless the continuity

of previous street work necessitates curb and gutter. Curb and gutter shall be constructed in conformance with the design criteria of the City. Curb and gutter in subdivisions outside the City is not required unless public water and/or sewer is available.

(N) Temporary Turnarounds: Streets stubbed to adjoining property or to phase lines may be required to have temporary turnarounds at the end of the street sufficient to permit sanitation vehicles to turn around.

(O) Grades at Intersections: The grade on stop streets approaching an intersection shall not exceed five percent (5%) for a distance of one hundred (100) feet from the centerline of the intersection.

(P) Street Names: Streets that will be in alignment shall bear the same name. Street names shall not duplicate or closely approximate phonetically the names of existing streets in Guilford County. Street suffixes and addresses shall conform to the standards set forth in Appendix 1 (Street Name and Address Standards).

(Q) Private Street or Drive Signs:

- 1) Street Signs: At each intersection of a named private street or drive with a public street, the City shall erect a street name sign. The developer shall pay a fee to the City for each such sign required. At each intersection between private streets or drives, the developer shall be required to erect and maintain reflectorized signs with green lettering on a white background.

- 2) Traffic Control Signs: The developer shall provide traffic control signs in locations designated by the City.

- 3) Maintenance: Maintenance of signs on private streets or drives shall be the responsibility of the owner or Owners' Association, as appropriate.

(R) Special Standards for Street Design Criteria in the TN1 Traditional Neighborhood Districts:

- 1) Streets shall provide pedestrian access to all lots.

- 2) All streets and alleys shall terminate at other streets within the neighborhood and connect to existing and projected through streets outside the development. Streets with cul-de-sacs shall only be permitted where topographic constraints do not allow street connections.

- 3) A continuous network of alleys to the rear of lots within the District is encouraged.

- 4) Electricity, telecommunications, cable and similar utilities shall run along rear lot lines wherever possible, shall be located in one ditch or in an otherwise coordinated system to minimize disruption to existing vegetation, and shall be located underground in accordance with Section 30-6-13.6(C)

of this Ordinance.

5) If provided, decorative street lamps shall be installed on both sides of the street no more than 100 feet apart. Full spectrum rather than amber tint light is preferred.

6) Rights-of-way and streets are encouraged to differ in dimension pursuant to their function and each street shall be separately detailed.

7) Street pavement shall be only as wide as necessary to safely include travel lanes and on-street parking areas.

8) Steady and even build-to lines shall be established along all streets and public space frontages, determining the width desired for each street or public space. A minimum percentage build-out at the build-to line shall be established along all streets and public square frontages.

9) The long axis of the street shall have appropriate termination with either a public monument, specifically designed building facade, or a gateway to the ensuing space.

10) Major thoroughfares and minor thoroughfares shall only be allowed on the edge of a Traditional Neighborhood District and shall not be allowed to penetrate the district. Not more than two collector streets shall penetrate a neighborhood.

11) Traditional neighborhood design is dependent upon the standards and improvements that define the form and function of the traditional neighborhood. Meeting minimum or maximum standards will not be, in and of itself, evidence of adherence to the purposes of the TN1 Traditional Neighborhood District or of good neighborhood planning.

**TABLE 30-6-13-1**

**MINIMUM PUBLIC STREET DESIGN STANDARDS**

CLASSIFICATION	ROW <sup>a</sup> (ft)	PAVEMENT WIDTH (ft) <sup>a, b</sup>	STOPPING SIGHT DISTANCE (ft)	CENTERLINE RADIUS (ft)	TURNAROUND RADIUS ROW/PAVE (ft)
MAJOR THOROUGHFARE	90-100	64-68	650	1530	
MINOR THOROUGHFARE					
five-lane	80	60	550	1240	
four-lane	68	48	475	955	
COLLECTOR	60	40	400	765	
SUB COLLECTOR	56	36	250	440	
LOCAL RESIDENTIAL					

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w/ribbon <sup>c</sup>	50	22	200	300	
w/curb and gutter	50	30	200	300	
<b>RESIDENTIAL CUL-DE-SAC</b>					
w/ribbon <sup>c</sup>	50	22	200	300	55/45
w/curb and gutter	50	30 <sup>d</sup>	200	300	60/50 <sup>d</sup>
LOCAL INDUSTRIAL	60	40	325	575	
INDUSTRIAL CUL-DE-SAC	60	40	325	575	70/60

a) Additional width may be required under Section 30-6-13.3(B), (Conformance with Thoroughfare and Collector Street Plans).

b) Dimensions in this column are from face-of-curb to face-of-curb, except for ribbon pavement.

c) Watershed Critical Area (WCA) only.

d) With twenty (20) dwelling units or less on the cul-de-sac street: pavement width of 26 ft., turnaround radii of 55/45 ft.

e) Must reflect an unimpeded distance of 300 ft before and after curve.

**TABLE 30-6-13-2**

**MINIMUM PRIVATE STREET DESIGN STANDARDS**

<b>COMMON AREA WIDTH (ft.)</b>	<b>PAVEMENT WIDTH (ft.)</b>	<b>STOPPING SIGHT DISTANCE (ft.)</b>	<b>CENTERLINE RADIUS (ft.)</b>	<b>TURNAROUND RADIUS ROW/PAVE(ft.)</b>
34 <sup>a</sup>	24 <sup>b</sup>	150	215	50/45

a) Common area shall extend a minimum of five (5) feet beyond face-of-curb and shall be free of obstructions. Common area may need to be wider when using ribbon pavement in the WCA.

b) Pavement width is measured from face-of-curb to face-of-curb. Ribbon pavement width in WCA is 22 feet.

**TABLE 30-6-13-3**

**MINIMUM PRIVATE STREET DESIGN STANDARDS FOR MANUFACTURED  
DWELLING AND RECREATIONAL VEHICLE PARKS**

				<b>TURNAROUND</b>
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ROW WIDTH (ft.)	PAVEMENT WIDTH (ft.)	STOPPING SIGHT DISTANCE (ft.)	CENTERLINE RADIUS (ft.)	TURNAROUND RADIUS ROW/PAVE(ft.)
30 <sup>a</sup>	20	150	150	50/45

a) This ROW is not dedicated but shall be free of obstructions.

**TABLE 30-6-13-4**

**MINIMUM PRIVATE ALLEY STANDARDS  
FOR TRADITIONAL NEIGHBORHOOD DISTRICTS**

CLASSIFICATION	ROW (ft.)	PAVEMENT WIDTH (ft.)	STOPPING SIGHT DISTANCE (ft.)	CENTERLINE RADIUS (ft.)
Alley	20	15	73	50

### 30-6-13.4 Block Length

In all zoning districts except the TN1 Traditional Neighborhood District, block length shall not exceed one thousand, five hundred (1,500) feet, for a maximum block perimeter of six thousand (6,000) feet, except that a block length of up to three thousand (3,000) feet may be approved in the Watershed Critical Area. In the TN1 Traditional Neighborhood District the length of a new block shall not exceed six hundred (600) feet. For reasons of topography, block length in the TN1 Traditional Neighborhood District may be a maximum of 800 feet as long as a pedestrian pathway traverses the block near its midpoint. In the event of a conflict between this Section and the provisions of the street connections policy adopted pursuant to Section 30-6-13.3(C), the provisions of Section 30-6-13.3(C) shall prevail.

### 30-6-13.5 Sidewalks

(A) General: Sidewalks shall be installed along public streets which are within or abut a subdivision, and at other locations as specified below.

1) Required Locations:

a) Along both sides of new and existing major thoroughfare streets and minor thoroughfare streets, not otherwise subject to lesser requirements.

b) Along one side of new and existing collector and sub-collector streets, not otherwise subject to lesser requirements, except that upon review by the TRC, both sides may be required where one or more of the following conditions exists:

i) The current or projected average daily traffic volume is greater than 8,000 vehicles per day.

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ii) The posted speed limit is greater than 35 miles per hour.

iii) The street is a strategic pedestrian route to a specified pedestrian destination located within one quarter mile, as measured along the street centerline.

iv) Other pedestrian safety, access, or circulation needs are identified.

c) Along one side of new and existing local streets not otherwise subject to lesser requirements.

2) Exempt Locations:

a) Along new and existing local and sub-collector residential streets where, upon review by the TRC, the following conditions are found by GDOT to exist:

i) The proposed development is within an area consisting predominantly of existing single-family residential development, where no sidewalks are present; and

ii) The character and size of the proposed development will not result in substantial additional pedestrian facility needs; and

iii) There are no new pedestrian facilities planned that would provide a pedestrian connection to the proposed development.

b) Along new and existing cul-de-sac streets and permanent dead-end streets, which are eight hundred (800) feet or less in length, and which are not strategic pedestrian routes.

c) Along streets that are North Carolina Department of Transportation controlled access facilities.

(B) Extent: Sidewalks required by this Ordinance shall be constructed along that portion of the street or streets which the parcel abuts, for the full length of the property line abutting the street or streets. Where sidewalks are required to be installed on one side of a street, the Technical Review Committee shall determine upon which side the sidewalks are to be installed, based upon criteria specified in the City of Greensboro Sidewalk Manual.

(C) Construction Standards: All sidewalks, whether required by this Ordinance or installed voluntarily, shall meet or exceed all applicable standards as specified herein and in the most recent version of the City of Greensboro Sidewalk Manual.

(D) In Traditional Neighborhood Districts: All streets in the TN1 Traditional Neighborhood District shall have sidewalks on both sides. Sidewalks on a commercial block or a mixed use block containing first-floor commercial uses shall have a width a minimum of from six (6) to sixteen (16) feet as appropriate to allow adequate room for pedestrians, awnings, streetscape and landscape elements.

### **30-6-13.6 Utilities**

(A) Public Water and Sewer Construction Requirements: Water and sewer lines, connections, and equipment shall be constructed in accordance with State and City regulations within the City and within and in conjunction with developments provided with City water or sewer service pursuant to the City and County Consolidated Water and Sewer Line Agreement.

(B) Water and Sewer Connection: Connection of each lot to public water and sewer utilities shall be required if the proposed subdivision is within three hundred (300) feet of the nearest adequate line of a public system, provided that no geographic or topographic factors would make such connection infeasible. Where public sewer is not available, lots shall meet applicable County Environmental Health Division regulations. Approval of the Environmental Health Division shall be obtained after Preliminary Plat approval. The Final Plat shall show the Certificate of Approval from the Environmental Health Division as shown in Appendix 2 (Map Standards).

(C) Underground Utilities: Electrical, community antenna television, and telephone utility lines installed within major subdivisions shall be underground unless the Technical Review Committee determines underground installation is inappropriate.

#### **(D) Utility Easements**

1) Width and Location: To provide for electric, telephone, gas, and community antenna television services; conduits; and sewer or water lines within a subdivision; appropriate utility easements not to exceed thirty (30) feet in width shall be provided. The location of such easements shall be reviewed and approved by the City, with advice from utility providers, before Final Plat approval.

2) No Buildings or Improvements: Utility easements shall be kept free and clear of any buildings or other improvements that would interfere with the proper maintenance or replacement of utilities. The City shall not be liable for damages to any improvement located within the utility easement area caused by maintenance or replacement of utilities located therein.

### **30-6-13.7 Drainage**

#### **(A) General Requirements:**

1) Refer to Section 27-22 (Stormwater management control requirements) of the Greensboro Code of Ordinances for additional requirements that apply

citywide and to Sections 30-7-1 (Water Supply Watershed Districts), 30-7-2 (General Watershed Areas), and 30-7-3 (Watershed Critical Areas for additional requirements that apply in GWA and WCA areas.

2) All watercourses that lie within the city or within or adjacent to developments provided with City water or sewer service pursuant to the City and County Consolidated Water and Sewer Line Agreement will carry a flow of five (5) cubic feet per second or more during a ten-year storm, as calculated in accordance with the City's storm sewer design manual, shall be treated in one or more of the three ways listed in Sections 30-6-13.7(B), (C), and (D) below. Except where Section 30-6-13.7(A)2) below leaves the determination to the developer, the City Technical Review Committee shall determine the treatment(s) to be used, based upon the pipe size necessary to handle drainage and adopted drainage and open space plans or maps. Open drainage channel requirements shall be based upon a one-hundred-year storm; enclosed systems shall be based upon a ten-year storm. If the area is identified on the drainageway and open space map or would require a pipe size of sixty-six (66) inch diameter or greater, the determination of drainage treatment(s) shall be made by the Technical Review Committee. In determining the drainage treatment(s), the Technical Review Committee shall consider the following factors:

- a) The type of development;
- b) The drainage treatment(s) employed by nearby developments;
- c) The probability of creating a lengthy greenway or drainageway and open space;
- d) The probability of creating future maintenance problems;
- e) The probability of erosion or flooding problems; and
- f) The adopted drainageway and open space plan or map.

2) If the area is not identified on the drainageway and open space plan or map and would require less than a sixty-six (66) inch diameter pipe, the developer shall determine the drainage treatment(s) in a manner consistent with this Section.

(B) Enclosed Subsurface Drains (Storm Sewers):

- 1) Storm sewer lines, connections, and facilities shall be designed and constructed in accordance with the City's storm sewer design manual.
- 2) A utility easement designed to accommodate storm sewer shall be dedicated on a Final Plat when determined necessary by the City. The required utility easement shall be centered on the enclosure when practical,

but in no case shall the outside wall of the enclosure be located less than five (5) feet from the edge of the easement. The easement shall be of a width determined necessary for maintenance purposes by the City based upon enclosure depth, topography, and location of existing and proposed improvements, but in no case less than fifteen (15) feet.

3) Storm Sewer easements may be used for future installation of other underground utilities.

(C) Open Channels in Dedicated Drainageway and Open Space Areas (See Appendix 5: Illustrations):

1) Drainageway and open space shall be dedicated by a recorded plat and shall be labeled "Dedicated to the City of Greensboro and the public for Drainageway and Open Space". If a portion of the drainageway and open space lies within a proposed thoroughfare shown on the Thoroughfare Plan, it shall be labeled "Dedicated to the City of Greensboro and the public for Drainageway and Open Space and Thoroughfare."

2) The dedicated drainageway and open space area along any stream that would require a sixty-six (66) inch or larger diameter pipe shall include the land between the natural one-hundred-year flood contour lines as determined by the City. The area to be dedicated may be reduced in width by filling provided that a minimum average width of two hundred (200) feet is maintained, a minimum width of one hundred (100) feet is maintained at the narrowest point is maintained, no fill is placed within a designated floodway, and no slope greater than three (3) to one (1) is created. The minimum average width in other locations shall be sixty (60) feet. (Caution: Article VII of this Ordinance, or Section 27-22 (Stormwater management control requirements), or federal wetlands regulations will prohibit or restrict fill placement in certain locations.)

3) In cases of severe topography or other obstacles, additional width may be required to assure reasonable ease of maintenance.

4) Dedicated drainageway and open space area shall abut public street right-of-way on at least thirty percent (30%) of its perimeter, except when the Technical Review Committee determines that adequate access is otherwise provided. The minimum length of street frontage at each location where drainageway and open space abuts public street right-of-way shall be sixty (60) feet. The maximum distance between such locations, measured by straight lines on each side of the drainageway, shall be one thousand (1,000) feet.

5) The centerline of the drainage channel that would require a sixty-six (66) inch or larger diameter pipe shall be located no less than fifty (50) feet from any street or property line, provided that the dimensions of the drainageway and open space area conform to all other requirements of this Section. The minimum distance from the centerline shall be twenty (20) feet along smaller

drainageways.

6) Dedicated drainageway and open space may be used for drainage, open space, greenways, bikeways, trails, and other similar recreation activities.

(7) Dedicated drainageway and open space may be used for utility lines provided the lines are shown on approved construction and utility plans before final plat recordation or approved by the Parks and Recreation Department after final plat recordation.

8) Drainageway and open space shall be left in its natural condition or graded to a cross section approved by the City and stabilized with permanent vegetative cover that will allow economical and efficient maintenance.

9) Single family lots abutting property sixty (60) feet or more in width dedicated to the City and the public as drainageway and open space may be reduced in size in accordance with the provisions in Section 30-4-6.1(D) (Lots Adjoining Public Open Space). If lot sizes have been reduced under the provisions of that Section, the following note shall appear of the plat:

"The required area of Lots \_\_\_\_\_ through \_\_\_\_\_ has been reduced in accordance with Section 30-4-6.1(D) of this Ordinance. All other dimensional requirements of this Ordinance shall apply."

(D) Open Channels on Private Property Within Drainage Maintenance and Utility Easements:

1) This treatment shall not be utilized in any subdivision intended for single family detached dwellings unless the Technical Review Committee determines that an open channel would not become a missing segment in a stormwater piping system and that the open channel is sufficiently distant from all anticipated building locations.

2) The drainage maintenance and utility easement shall include the land between the natural one-hundred-year flood contour lines. The easement may be reduced in width or shifted by modifying the topography if permitted under Section 30-7-4 (Soil Erosion and Sedimentation Control) and Section 30-7-5 (Flood Damage Prevention). In such cases, the approved typical required drainage channel section shall include the necessary channel to accommodate a one-hundred-year flood. The area outside of the required drainage channel may be filled; but any resulting slope shall be no steeper than two (2) to one (1), unless the slope is protected by masonry paving, rip-rap, or other material which meet the City's specifications.

3) The minimum width of a drainage maintenance and utility easement shall not be less than specified below if the edge of the easement as specified below and the edge of a stream buffer required in Section 30-7-1.8 (Stream buffer required) are close to coinciding, the Enforcement Officer may authorize the easement line to be moved to coincide with the stream buffer

line.

Cubic feet per second in 100-year storm	Drainage maintenance and utility easement width (feet)
5-17	30, centered
18-70	60, centered
> 70	100, plus width of channel

4) The drainage maintenance and utility easement shall be centered on the drainageway unless the Technical Review Committee approves other easement alignments because of topographic conditions.

5) In cases of severe topography or other obstacles, additional width may be required to assure reasonable ease of maintenance.

6) If the Technical Review Committee determines that suitable access to the drainage maintenance and utility easement is not provided, access shall be guaranteed by a suitably located access easement not less than twenty (20) feet in width.

7) It shall be the owner's responsibility to maintain all streams and all required stream buffers located within the easement.

8) If the City Council determines that it is in the public interest to alter the typical required channel section and/or profile of the stream to improve flow, the City may enter the property within the indicated access or drainage maintenance and utility easement and carry out the necessary work without liability for damage to the property or improvements located within the easement.

9) No buildings or structures, except for water-related improvements, shall be placed or constructed within the access or drainage maintenance and utility easement except as allowed in Section 30-4-7.5 (Easement Encroachments). Drives, parking areas, or other improvements shall be constructed no closer than two (2) feet horizontally from the top of any back slope along any open watercourse.

### **30-6-13.8 Flood Damage Prevention:**

(A) Minimize Flood Damage: All subdivision proposals shall be consistent with the need to minimize flood damage;

(B) Public Utilities: All subdivision proposals shall have public utilities and facilities such as sanitary sewer, gas, electrical, and water systems located and constructed to minimize flood damage;

(C) Drainage: All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards; and

(D) Base Flood Elevation Data Required: Base flood elevation data shall be provided for subdivision proposals whenever the one-hundred-year storm flow is five hundred (500) cubic feet per second or greater.

### **30-6-13.9 Sites For Public Uses**

In subdividing property, due consideration shall be given by the subdivider to the reservation of suitable sites for schools and other public uses in accordance with NCGS 160 A-372.

### **30-6-13.10 Placement of Monuments**

The Standards of Practice for Land Surveying in North Carolina, as adopted by the North Carolina State Board of Registration for Professional Engineers and Land Surveyors, shall apply when installing permanent monuments.

### **30-6-13.11 Street Trees**

Street Trees shall be required along both sides of a street in the TN1 Traditional Neighborhood District in accordance with the approved locations shown in the adopted Traditional Neighborhood Development Plan for the District.